

## *History of U.S. Immigration Law and Policy*

**T**he history of U.S. immigration reflects the social, economic, and political climate of the time. It also illustrates the nation's ongoing ambivalence about immigration, as well as offers insights on the role of race, prejudice, fear, and nativism in shaping U.S. immigration policy. This section provides a quick overview of U.S. immigration law and policy from the 1700s to May 2006.

**Y**es, we need to control our borders. No one argues with that... But we don't need ballot initiatives that make people think we want them to abandon their hopes because some of us don't believe the American Dream is big enough to share anymore."

—Senator John McCain, R-AZ, 2005

**W**e can't strengthen our nation's borders by strangling our nation's economy."

—Representative John Boehner, R-OH  
December 2005



## HISTORY OF U.S. IMMIGRATION LAW AND POLICY

- 1790:** Congress passed a law allowing naturalization for “free white persons.” This racial requirement remained in effect until 1952, although naturalization was opened to immigrants from certain Asian countries in the 1940s.
- 1798:** The passage of the Aliens and Sedition Acts authorized the President to deport any foreigner deemed to be dangerous.
- 1882:** Passage of the Chinese Exclusion Act codified racism into federal law, denying citizenship for Chinese immigrants and suspending their entry into the United States. It was not repealed until 1943.
- 1906:** The ability to speak and understand English became a requirement for naturalization.
- 1917:** Congress designated Asia as “a barred zone,” prohibiting immigration from all Asian countries except Japan and the Philippines.
- 1919:** The Palmer Raids resulted in the deportation of 10,000 labor and immigrant activists.
- 1921-1930:** Thousands of Mexican workers, including many U.S. citizens, were deported.
- 1924:** The Johnson-Reed Act created a new national-origins quota system favoring immigrants from northern Europe and banning immigration by persons “ineligible to citizenship,” a provision that primarily affected the Japanese.
- 1942-1945:** The United States interned 120,000 Japanese Americans.
- 1942-1964:** The “Bracero” guestworker program, begun to meet wartime labor shortages, brought close to five million farmworkers, predominantly Mexicans, to the United States.
- 1954:** Operation Wetback deported more than 1.1 million Mexican immigrants.
- 1965:** Thanks to the Civil Rights Movement of the 1960s, the 1965 Immigration Act eliminated race-based admission criteria and instituted ones based on the would-be immigrant’s skills, profession, or relationship to family in the United States.
- 1975:** Congress passes legislation to permit the resettlement of Southeast Asian refugees in the aftermath of the Vietnam War.
- 1986:** The Immigration Reform and Control Act granted amnesty to about three million undocumented immigrants and instituted sanctions for employers who hire undocumented workers.
- 1995:** California voters approved Proposition 187 to prohibit undocumented immigrants from accessing publicly funded education, welfare, and health services. The proposition was later found to be unconstitutional.
- 1996:** Three acts of Congress—welfare reform, immigration reform, and anti-terrorism legislation—significantly reduced immigrants’ access to social safety-net programs, toughened border enforcement, closed opportunities for undocumented immigrants to legalize their status, made it difficult to gain asylum, stripped many due-process rights, reduced access to the courts, and greatly expanded grounds for deportation.
- 2001:** Shortly after the attacks of September 11, 2001, Congress passed the USA PATRIOT Act, giving the federal government, among other things, broad powers to indefinitely detain suspected terrorists. At least 1,200 South Asian and Middle Eastern men were swept up in government dragnets, detained without charge, and denied due-process rights. Few, if any, of these detainees were charged with involvement in terrorist activities.

**2002:** The Department of Homeland Security put in place “Special Registration” which required all non-immigrant males age 16 and older from 24 countries to report in person, register, and be fingerprinted. All but one of the countries targeted by this program were those with large Muslim populations. An estimated 13,000 men were placed in deportation proceedings during the first year of this program. Although it was terminated, Special Registration was the most visible and systematic government-instituted program to detain members of specific ethnic groups in the United States since the internment of Japanese Americans during World War II.

**2005:** Congress passed the REAL ID Act, raising the standard for political asylum seekers, creating additional grounds for deporting immigrants, and restricting the issuance of driver’s license and state ID documents to certain categories of immigrants. More than 150 anti-immigrant bills were introduced in 30 states, although few bills were eventually enacted into law. Arizona, Virginia, and Arkansas adopted anti-immigrant laws that target vulnerable populations, including undocumented immigrants, day laborers, and low-income families. Arizona’s Proposition 200, approved by the state’s voters, requires state and local government employees to report undocumented immigrants seeking publicly funded health and social services to federal immigration authorities.

**2006:** The State of Georgia passed the Georgia Security and Immigration Compliance Act. Under this state law, effective July 1, 2007, Georgia employers must use a federal database to verify their workers’ immigration status; recipients of most state benefits, including welfare and Medicaid, must prove their legal status; workers who cannot provide a Social Security number or other taxpayer identification are required to pay a six percent state withholding tax; corrections officials must report incarcerated undocumented immigrants to federal authorities; and local authorities are authorized to seek training to enforce federal immigration laws.

In spring 2006, as this report was being finalized, Congress debated immigration reform legislation. Some proposals focused strictly on strengthening border and other immigration enforcement, while others called for guestworker programs, opportunities for undocumented immigrants to earn legal status, and provisions to address the family-visa backlogs. Depending on the outcome of this debate, the political environment for immigrants could change dramatically in the upcoming years, possibly driving some immigrants deeper in the shadows or giving those who could benefit from any new laws the opportunity to become fully integrated into U.S. society.

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Cho, Eunice Hyunhye, et al. 2004. *BRIDGE: Building Race and Immigration Dialogue in the Global Economy*. Oakland, CA: National Network for Immigrant and Refugee Rights.

“**M**y conception of what it means to be an immigrant rights activist is that one must also be involved in the integration side of the debate, in the huge question of whether there is economic and social mobility for today’s immigrants. The issues I care most about are what kind of life immigrants are going to be able to achieve in this country... I feel it is imperative that more people conceptualize their role in being pro immigrant as being pro school reform, pro health care access, and pro labor rights enforcement, among other things we need to think about to make strong, vibrant, healthy communities. When so many are struggling to move up, to provide for their families, how do we design policies that truly provide opportunity and a level playing field for everyone?”

—Margie McHugh, Senior Advisor  
Migration Policy Institute, Washington, DC

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## DEMOGRAPHIC TRENDS

### Immigrant numbers and growth rates are significant.<sup>1</sup>

- The foreign-born population in the United States tripled in the past four decades and currently totals about 37 million, or nearly 12 percent of the total population.

- By 2010, the foreign-born population is expected to increase to 43 million, or 13.5 percent of the total population.

### But immigrants' percentage of the total U.S. population is below the nation's historic high.

- Proportionately, the United States is less a nation of immigrants now than a century ago, when nearly 15 percent of the population was foreign-born.<sup>2</sup>

- Many other countries have proportionately larger immigrant populations. For example, 17 percent of Canada's total population is foreign-born, as is 24 percent of Australia's.<sup>3</sup>

### Immigrant settlement is shifting from traditional to new gateway states and from central cities to suburbs.

- In 2000, two-thirds of all the foreign-born lived in the traditional "big six" immigrant states (California, New York, Texas, Florida, Illinois, and New Jersey), down from three-quarters in the decades before 1995.<sup>4</sup>

- From 1990 to 2000, the foreign-born population grew by 145 percent in 22 "new growth" states, compared to 57 percent average growth nationwide.<sup>5</sup>

- The biggest growth between 1990 and 2000 occurred in the Southeast, Mountain, and Plains states, led by North Carolina (274 percent), Georgia (233 percent), Nevada (202 percent), Arkansas (196 percent), and Utah (171 percent).<sup>6</sup>

- The foreign-born averaged 25 percent of the population in central cities in 2000, with the highest percentages in Miami (60 percent), Los Angeles (40 percent), and San Francisco, San Jose, and New York (all above 35 percent).<sup>7</sup>

- More immigrants now live in suburbs (12.8 million) than in central cities (9.8 million).<sup>8</sup>

### Fewer immigrants are from Europe; more are from Latin America and Asia.

- Sixty-six percent of legal immigrants were from Europe and Canada before the 1965 Immigration Act eliminated national origin quotas that favored European countries.<sup>9</sup>

- By 2004, European and Canadian immigrants had declined to 16 percent of all foreign-born, while a larger percentage of immigrants were from other countries: Mexico (31 percent), other Latin American countries (23 percent), Asia (26 percent), and Africa, the Middle East, and other regions (4 percent).<sup>10</sup>

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**SNAPSHOT OF THE FOREIGN-BORN IN THE UNITED STATES**

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IMMIGRATION STATUS	TOTAL NUMBER (2005)	% OF TOTAL	ANNUAL (Federal fiscal year 2003)
<b>FOREIGN-BORN RESIDENTS</b>			
<b>Naturalized citizens:</b> Lawful permanent residents in U.S. at least 3-5 years who have completed naturalization process.	11.5 million	31%	555,000 LPRs became citizens
<b>Lawful permanent residents (LPRs):</b> Persons legally admitted to reside and work permanently in U.S.; most visas are granted through family relationships to relatives of citizens and LPRs (about 74% of total) and employment skills (12% of total).	10.5 million	28%	651,000 LPR visas granted <ul style="list-style-type: none"> <li>• 333,000 immediate relatives of U.S. citizens</li> <li>• 159,000 other relatives of citizens &amp; LPRs</li> <li>• 87,000 other legal admissions, such as diversity visas</li> <li>• 82,000 employment visas</li> </ul>
<b>Refugees:</b> Persons unable or unwilling to return to their country because of persecution or a well-founded fear of persecution; refugees are admitted overseas, and asylees apply in the U.S. Both may apply to become LPR after one year. Of the post-1980 refugee arrivals, 1.3 million are now LPRs, and 1.3 million are now naturalized citizens.	2.6 million	7%	45,000 refugee/asylee visas granted
<b>Temporary legal residents:</b> Persons legally admitted for a specified purpose and a temporary period.	1.3 million	3%	1.46 million temporary resident visas, including 662,000 students and dependents, and 798,000 temporary workers and dependents
<b>Undocumented immigrants:</b> Persons residing in the U.S. without legal permission. Estimated numbers: <ul style="list-style-type: none"> <li>• 50-65% entered without inspection.</li> <li>• 25-40% overstayed visa.</li> <li>• 10% quasi-legal (e.g., Temporary Protected Status, asylum applicants, persons awaiting green card).</li> </ul>	11.1 million	30%	An estimated 500,000 undocumented immigrants have entered the United States per year since 2000
<b>TOTAL FOREIGN-BORN RESIDENTS</b>	37 million	100%	2.6 million resident arrivals annually
<b>VISITORS TO THE UNITED STATES</b>			
Tourists			24.4 million
Visitors for business			4.2 million
<b>TOTAL ANNUAL VISITORS</b>			28.6 million

**SOURCES:**

Total numbers and percent foreign-born for 2005 and data on undocumented immigrants from Passel, Jeffrey S. 2006. *The Size and Characteristics of the Unauthorized Migrant Population in the U.S.* Washington, D.C.: Pew Hispanic Center. March.

Naturalization data for FY 2003 from Migration Policy Institute. 2005. *Backlogs in Immigration Processing Persist.* Washington, D.C.: Migration Policy Institute. June.

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## TOP-TEN IMMIGRANT-SENDING COUNTRIES TO THE UNITED STATES

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### 2004

1. Mexico
2. India
3. Philippines
4. China,-People's-Republic
5. Vietnam
6. Dominican-Republic
7. El Salvador
8. Cuba
9. Korea
10. Colombia

### 1960

1. Mexico
  2. Germany
  3. Canada
  4. United Kingdom
  5. Italy
  6. Cuba
  7. Poland
  8. Ireland
  9. Hungary
  10. Portugal
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### TOP-TEN REFUGEE-SENDING COUNTRIES TO THE UNITED STATES IN 2004

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1. Somalia
2. Liberia
3. Laos
4. Sudan
5. Ukraine
6. Caribbean
7. Cuba
8. Ethiopia
9. Iran
10. Moldova

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### TOP SOURCES OF UNDOCUMENTED IMMIGRANTS TO THE UNITED STATES

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1. Mexico (57%)
2. Other Latin American countries (24%)
3. Asia (9%)
4. Europe and Canada (6%)
5. Africa and other (4%)

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#### SOURCES:

United States. Department of Homeland Security. 2006. *Yearbook of Immigration Statistics: 2004*. Washington, D.C.: U.S. Department of Homeland Security, Office of Immigration Statistics.

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## **PATTERNS OF IMMIGRATION STATUS**

Immigrants with legal status make up 70 percent of the U.S. foreign-born population.<sup>11</sup>

Demographers estimate that in 2005:<sup>12</sup>

- Legal permanent residents were 32 percent of the foreign-born (11.8 million, including 1.3 million who arrived as refugees).
- Naturalized citizens were 35 percent (12.8 million, including 1.3 million who arrived as refugees).
- Temporary legal residents (such as students and temporary workers) were 3 percent (1.3 million).
- Unauthorized migrants were 30 percent (11.1 million).

**Many immigrants are becoming citizens, but many more who are eligible face barriers to naturalization.**

- The number of naturalized citizens almost doubled between the mid-1990s and 2002, from 6.5 to 11 million.<sup>13</sup>
- Although naturalization numbers and rates have increased, at least eight million immigrants are eligible to naturalize but have not.<sup>14</sup>
- Language is a major barrier: 60 percent of naturalization-eligible immigrants have limited proficiency in English.<sup>15</sup>
- Delays in immigration processing have increased waiting times for naturalization and green cards: Between 1990 and 2003, the number of applications pending approval increased by more than 1,000 percent, from 540,688 to 6.08 million.<sup>16</sup>
- Nevertheless, immigrants' interest in becoming U.S. citizens remains high.
  - In the first three months of 2006, the U.S. Department of Homeland Security received more than 185,000 naturalization applications, representing a 19 percent increase over the same period last year.<sup>17</sup>
  - In March 2006, the U.S. Citizenship and Immigration Services received a record 6.6 million hits on its website. The website received 2.2 million requests to download forms, including the N-400 for naturalization—a leap from 1.8 million requests in February.<sup>18</sup>

The undocumented population has increased since the mid-1990s.

- Annual arrivals of undocumented immigrants have exceeded legal admissions since the mid-1990s. Since 2000, legal admissions have averaged 610,000 a year and unauthorized entries have averaged 700,000 a year. In contrast, in the 1980s, legal admissions averaged 650,000 a year and unauthorized entries averaged 140,000.<sup>19</sup>
- As of March 2006, between 11.5 and 12 million undocumented immigrants resided in the United States, constituting 30 percent of all immigrants.<sup>20</sup>

Although the number of undocumented immigrants in the U.S. has grown, the rate of undocumented migration from Mexico has remained steady, as a percentage of the Mexico population, since 1980.<sup>21</sup>

**Immigrants, regardless of their immigration status, are thoroughly woven into the fabric of American families and communities.**

- Eighty-five percent of all immigrant families with children are mixed-status families, with at least one immigrant parent and one U.S. citizen child.<sup>22</sup>
- Three-quarters of children in immigrant families are U.S. citizens.<sup>23</sup>
- Two-thirds of the 4.9 million children with undocumented parents are U.S. citizens.<sup>24</sup>

## IMMIGRANTS IN THE U.S. ECONOMY

Immigrants are a significant, increasing percentage of the U.S. labor force growth.<sup>25</sup>

- Immigrants constituted more than 50 percent of the overall growth in the labor force in the last decade.
- Between 1994 and 2004, the native-born labor force grew by 7 percent (118 million to 126 million), while the immigrant labor force grew by 66 percent (12.9 million to 21.4 million).
- Between 2000 and 2050, new immigrants and their children will account for 83 percent of the growth in the working-age population and 60 percent of total U.S. population growth.

**Immigrants will fill workforce gaps created by aging native-born workers.**

- By 2030, the percentage of the U.S. population over 65 will more than double, from over 12 to almost 20 percent, while the working-age and child population will shrink by 8 percent.<sup>26</sup>
- Eighty percent of immigrants are working age, compared to 60 percent of the native-born.<sup>27</sup>

**Immigrants bring skills that meet the needs of the U.S. “hour-glass” economy, filling jobs at the high and low ends of the labor market.**

- In 2000, the foreign-born accounted for 38 percent of scientists and engineers with doctorates and 29 percent of those with master’s degrees.<sup>28</sup>
- Among computer scientists and mathematicians, half of all doctorate holders and one-third of master’s degree holders were foreign-born.<sup>29</sup>
- From 1996 to 2002, the foreign-born constituted 27 percent of the growth in doctors, scientists, and teachers.<sup>30</sup>
- Immigrants from countries outside of Mexico and Central America are more likely to have completed college or graduate school (43 percent) than native-born workers (32 percent).<sup>31</sup>

- The foreign-born in lower-skilled occupations include:<sup>32</sup>
  - 41 percent of workers in farming, fishing, and forestry.
  - 33 percent of building and maintenance workers.
  - 22 percent of workers in food preparation/serving and construction/mining.
- Immigrants from Mexico or Central America are more likely than native-born workers to have less than a high school education (59 percent versus 6 percent).<sup>33</sup>
- Nearly half of all immigrant workers earn less than 200 percent of the minimum wage, compared to one-third of native workers. The average low-wage immigrant worker earned \$14,400 in 2001.<sup>34</sup>

- From 2004 to 2014, the greatest growth in U.S. jobs, in both numbers and percentage, will be at the upper and lower ends of the workforce. Professional occupations will gain 6 million jobs, representing a 21 percent increase. Service jobs will increase by 5.2 million, or 19 percent.<sup>35</sup>

**Immigration is stimulating growth in Asian-American and Latino businesses and buying power.**

- Between 1997 and 2002, the number of Asian-American businesses grew 24 percent, and Latino businesses grew 31 percent, compared to 10 percent growth for all U.S. firms.<sup>36</sup>
- Between 1990 and 2009, both Asian-American and Latino buying power will grow 347 percent, compared to a 158 percent increase in total U.S. buying power.<sup>37</sup>
- By 2009, Asian-Americans and Latinos are projected to total 20 percent of the population and command almost 14 percent of U.S. buying power.<sup>38</sup>

## **IMMIGRANT CHILDREN AND EDUCATION**

Children of immigrants are one in five school-age children.<sup>39</sup>

- From 1970 to 2000, children of immigrants increased from 6 percent to 19 percent of all school-age children, constituting 11 million of 58 million total U.S. children. About 75 percent of the children of immigrants are U.S. citizens.

- In 2000, 16 percent of all students in pre-kindergarten were children of immigrants, but only 2 percent were foreign-born. In the upper grades (6 to 12), children of immigrants were 19 percent of the total student population, while the foreign-born were 7 percent of the total.

**Like immigrants overall, children of immigrants are concentrated in traditional gateway states, but their growth rates are highest in the new gateway states.**<sup>40</sup>

- In 2000, almost 70 percent of school-age children of immigrants lived in the six states with the largest immigrant populations: California, Texas, New York, Florida, Illinois, and New Jersey.

- In 2000, nearly half (47 percent) of California's students in PK to fifth grade were children of immigrants. Nine other states had percentages above the national average of 19 percent: Nevada, New York, Hawaii, Texas, Florida, Arizona, New Jersey, Rhode Island, and New Mexico.

- The highest growth in school enrollment of immigrant children was in new gateway states in the Southeast, Midwest, and interior West. Between 1990 and 2000, children of immigrants in PK to fifth grade grew most rapidly in Nevada (206 percent), followed by North Carolina (153 percent), Georgia (148 percent), and Nebraska (125 percent).

Many Latino and Asian-American children of immigrants are English Language Learners (ELL) and low-income.<sup>41</sup>

- In 2000, 53 percent of the children of immigrants were Latino, and 18 percent were Asian-American.

- Seventy-one percent of ELL children in elementary school were Latino, and 14 percent were Asian-American.

- Half of children of immigrants and two-thirds of ELL children are low-income.

**Most ELL children are U.S.-born, but live in linguistically isolated families and attend linguistically segregated schools.**<sup>42</sup>

- In 2000, only about 3.5 million children of immigrants were ELL, out of a total 11 million.

- More than half of ELL students in 2000 were born in the United States.

- In 2000, six out of seven ELL children in grades one to five lived in linguistically isolated households; in secondary school, two out of three did so.

- ELL students are highly concentrated in linguistically segregated schools, with half attending schools where 30 percent or more of their fellow students are also ELL.

- Seventy percent of ELL students are enrolled in only 10 percent of the nation's schools.<sup>43</sup>

## LANGUAGE ACQUISITION

English acquisition rates are high among immigrants who come to the United States as children and rise across the generations.<sup>44</sup>

- Almost 80 percent of first-generation (foreign-born) children from Mexico and 88 percent from China speak English “well” or “very well.”

- Among the second generation, 92 percent of Latinos and 96 percent of Asians are English proficient and many are bilingual in their mother tongue (85 percent of second-generation Latinos and 61 percent of second-generation Asians).

- By the third generation, 72 percent of Latinos and 92 percent of Asians speak English only.

**High rates of immigration have increased the number of recently arrived, first-generation adults with limited English skills.**

- In 2002, among adults aged 18 to 64, over 17 million immigrants spoke English very well, over 7 million spoke it well, close to 6 million did not speak it well, and more than 2.5 million did not speak English at all.<sup>45</sup>

- Many limited English proficient (LEP) adults are relatively recent immigrants, with 60 percent arriving in the United States over the past ten years.<sup>46</sup>

- In 2000, about 2 out of 3 working-age adults (ages 18-55) who did not speak English at home were foreign-born (19 million of 29.4 million).<sup>47</sup>

- In 2000, about 9 out of 10 working-age adults who were very limited English proficient<sup>10</sup> were foreign-born (6.5 million of 7.4 million).<sup>48</sup>

- In 2000, among the LEP immigrants:<sup>49</sup>

- One-third arrived in the United States since 1995, and 59 percent arrived since 1990.

- More than half (57 percent) were from Mexico.

- Three-quarters spoke Spanish at home. Fourteen percent spoke Asian languages.

- Half had a ninth-grade education or less.

- Sixty-two percent had children, compared to 36 percent of all U.S. households.

**English ability is linked to higher wages and economic opportunities.**

- Nearly two-thirds of low-wage immigrant workers do not speak English proficiently.<sup>50</sup>

- Immigrants who speak English fluently may earn 17 percent more than those who do not, after adjusting for socioeconomic factors such as education and work experience.<sup>51</sup>

- In 1999, only 26 percent of refugees who did not speak English were employed, compared with 77 percent of those who spoke English well or fluently.<sup>52</sup>

**LEP speakers face additional barriers to economic mobility and integration.**

- Almost half of LEP adults have nine years or less of education, and 64 percent do not have a high school degree.<sup>53</sup>

- LEP workers in Los Angeles and New York were twice as likely as other immigrant workers to lack legal status.<sup>54</sup>

- About 60 percent of permanent residents eligible to become citizens may have difficulty taking the naturalization exam because they are limited in English.<sup>55</sup>

**The demand for English classes far exceeds the supply.**

- In 2002-2003, nearly 1.2 million adults attended English-as-a-Second-Language (ESL) classes, representing 43 percent of all enrollees in adult education.<sup>56</sup>

- Shortages of ESL courses exist in many other communities.<sup>57</sup> For example, Massachusetts has more than 180,000 residents on waiting lists for ESL classes, with an average wait of six months to two years.<sup>58</sup>

## **IMMIGRANTS' ACCESS TO INSURANCE AND HEALTH CARE**

### **Significant numbers of immigrants are uninsured.**

- In 2003, between 43 to 52 percent of all non-citizens were uninsured, compared with only 15 percent of native-born citizens and 21 percent of naturalized citizens.<sup>59</sup>

- Low-income non-citizens are the most likely to be uninsured: Among low-income adults, 70 percent of Latino non-citizens lacked insurance in 1999, compared to 34 percent of low-income Latino citizens and 28 percent of low-income white citizens.<sup>60</sup>

- Children's insurance rates are affected by their own status as well as that of their parents: Among low-income Latinos, 74 percent of non-citizen children lacked health insurance in 1999, compared to 30 percent of citizen Latino children with non-citizen parents and 17 percent of citizen Latino children with citizen parents.<sup>61</sup>

- Approximately 4.5 million legal immigrants who have arrived in the United States after the 1996 welfare law are effectively barred from receiving federally funded health insurance until they become citizens.<sup>62</sup>

### **Immigrants have limited access to health care.**

- In 1997, 37 percent of low-income non-citizens reported not having a usual source of care, compared to 19 percent of the low-income native-born.<sup>63</sup>

- Non-citizens are more likely to be without a usual source of care and less likely to go to emergency rooms than citizens. On average, non-citizen children had fewer medical, dental, and mental health visits than citizen children.<sup>64</sup>

- In 2000, over 25 percent of adult Mexican immigrants had not seen a doctor in the previous two years, about four times the rate for non-Hispanic whites.<sup>65</sup>

- In 2000, 48 percent of Mexican immigrants ages 18-64 had no usual source of health care, and 58 percent had no health insurance. In contrast,

14 percent of U.S.-born, non-Hispanic whites had no usual source of care, and 14 percent were uninsured.<sup>66</sup>

- In 2000, half of adult Mexican immigrants with no usual source of care and no health insurance had not seen a doctor in the previous two years.<sup>67</sup>

### **Language presents a significant barrier to health care.**

- Immigrants who lack English proficiency are less likely to be insured: Among low-income adults, 72 percent of non-citizen Latinos who spoke primarily Spanish lacked insurance, compared to 55 percent of non-citizen Latinos who spoke primarily English and 28 percent of white citizens.<sup>68</sup>

- Federal law requires states, counties, and private health providers that receive federal funds to make reasonable efforts to provide language assistance to LEP individuals.<sup>69</sup>

- Only eleven states have taken advantage of federal reimbursement to pay for language services for their Medicaid and State Children's Health Insurance Programs (SCHIP), though some states are in the process of developing pilot projects.<sup>70</sup>

### **States vary in their use of state funding to cover immigrants and their children.<sup>71</sup>**

- As of 2004, 22 states and the District of Columbia were using state funds to provide health coverage to some or all of the low-income documented immigrant children and pregnant women who lost federal coverage in the 1996 welfare law.

- About two-thirds of these states also cover seniors, people with disabilities, and the parents of immigrant children.

- Seven states also use federal SCHIP funds to cover prenatal care for all women, regardless of immigration status.

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## *Glossary of Terms*

This section provides a brief explanation of major immigration and immigrant integration terms utilized in this report and in the field. The terms are organized in alphabetical order for easy reference.

<b>TERMS</b>	1.5 generation	Language access
	Acculturation	Lawful Permanent Resident
	Alien	LEP
	Americanization	Melting Pot
	Assimilation	Migrant
	Asylee	Nativism
	Bicultural	Newcomer
	Bilingual	Newcomer program
	Citizen	Non-Immigrant
	ELL	Receiving country
	English Plus	Refugee
	English-Only	Second generation
	ESL	Segmented assimilation
	First generation	Sending country
	Foreign-born	Social capital
	Gateway	Transnational
	Globalization	Undocumented immigrant
	Guestworker	Vocational English as a Second Language (VESL)
	Human capital	Workforce development
	Immigrant	
	Inclusion	
	Incorporation	
	Integration	



## GLOSSARY

**1.5 generation.** Children born abroad but brought to the receiving society before adolescence; sometimes treated as “second generation” in sociological studies because these immigrants’ language proficiency, educational levels, and other characteristics resemble those of the second generation.

**Acculturation.** Process through which immigrants are expected to learn the cultural patterns of the country of immigration, e.g., its language, cultural values, and practices. Some observers criticize the concept for assuming that the receiving society is culturally homogenous and that immigrants must relinquish their own ethnic group culture to integrate successfully.

**Alien.** Any person not a citizen or national of the United States.

**Americanization.** A movement of often forced adoption of U.S. cultural practices and the English language that flourished in the United States during and immediately after World War I; equated assimilation with acculturation in the Anglo-conformity mode. Contrast with “melting pot.”

**Assimilation.** Incorporating immigrants and refugees into the receiving society through an often multi-generational process of adaptation. The initial formulation of assimilation posited that both immigrants and host society adapt to each other, but the term has come to be associated with immigrants’ relinquishing their linguistic and cultural characteristics in order to become part of the economic and social structure of mainstream society.

**Asylee.** Person admitted to the United States because they are unable or unwilling to return to their country of nationality due to persecution or a well-founded fear of persecution based on their race, religion, membership in a social group, political opinion, or national origin. Asylees apply when already in the United States or at a point of entry. They may apply for permanent resident status one year after being granted asylee status. In this report, the more general term “immigrant” is used to encompass asylees unless the term “asylee” is more appropriate to a particular context.

**Bicultural.** Identifying with the cultures of two different language groups. To be bicultural is not necessarily the same as being bilingual.

**Bilingual education.** An educational program in which two languages are used to provide content matter instruction.

**Bilingual.** The ability to use two languages; bilingual persons may have varying proficiency across the four language dimensions (listening, speaking, reading, and writing). People may become bilingual either by acquiring two languages at the same time in childhood or by learning a second language sometime after acquiring their first language.

**Citizen.** Person who owes allegiance to a nation state and is entitled to its protection and to exercise rights of membership, such as voting. Under U.S. law, citizens include persons born in the United States or its territories, certain persons born abroad to a U.S. citizen, and non-citizens who become citizens through naturalization.

**ELL.** English language learners (ELLs) are children whose first language is not English and who are in the process of learning English; sometimes referred to as English learners (EL). Also see limited English proficient (LEP).

**English plus.** A movement based on the belief that all U.S. residents should have the opportunity to become proficient in English plus one or more other languages.

**English only.** An umbrella term that is used to refer to different federal and state legislative initiatives and various national, state, and local organizations, all of which involve the effort to make English the official language of the United States. The initiatives and organizations vary in the degree to which they promote the suppression of non-English languages.

**ESL.** English as a second language (ESL) is an educational approach to teach non-English speakers in the use of the English language. For primary and secondary students, ESL instruction is based on a special curriculum that typically involves little or no use of the native language, focuses on language (as opposed to content), and is usually taught during specific school periods. For the rest of the school day, students may be placed in mainstream classrooms, an immersion program, or a bilingual education program.

**First generation.** Immigrants who are born outside of the receiving country (e.g., who are foreign-born). See also “1.5 generation” (immigrants born abroad but brought to the United States while still children).

**Foreign-born.** The Census considers anyone not born a U.S. citizen to be foreign-born. The foreign-born include immigrants who have become citizens (through naturalization) or who have any of the variety of immigration statuses (e.g., legal permanent resident, refugees/asylees, temporary legal residents, or undocumented).

**Gateway.** The place of immigrants’ first settlement. Historically, immigrants settled in major port cities, such as New York, Boston, Chicago, and San Francisco; these major settlement areas are referred to as “traditional gateways” or “historic gateways.” In the 1990s, immigrants dispersed to new settlement areas such as North Carolina, Georgia, Nevada, and Utah; such states are often referred to as “new gateways” or “new immigrant destinations.”

**Globalization.** Increased global interdependence among peoples and countries, globalization is characterized by increased international trade, investment, and migration as well as greater technological and cultural interchange. The first era of globalization occurred in the nineteenth century with rapid increases in international flows of goods, capital, and labor. After retrenchment during World War I and the Great Depression, the second era

of globalization is considered to have begun with the rise of trade and other elements of international exchange after World War II.

**Guestworker.** A person legally admitted to work for a temporary period of time, usually to fill labor shortages and without options to remain legally. U.S. immigration law contains several numerically limited non-immigrant temporary worker categories, including agricultural workers, nurses, and persons of extraordinary ability or achievement in the sciences, arts, education, business, or athletics.

**Human capital.** A person’s knowledge and abilities, such as educational level, literacy, and work experience; human capital is correlated with socio-economic position and mobility.

**Immigrant.** A person who leaves his or her country to settle permanently in another country. In U.S. immigration law, immigrant refers to all aliens in the United States who have not been admitted under one of the law’s non-immigrant categories. In this report, “immigrant” is the general term used to describe persons born abroad who have come to settle in the United States, regardless of their immigration status or whether they have become U.S. citizens.

**Inclusion.** Process by which immigrants become participants in particular sub-sectors of society, such as education, labor market, or political representation. Emphasizes active and conscious efforts by both public agencies and employers as well as immigrants themselves; meant to contrast with exclusion or social exclusion.

**Incorporation.** Used by some social scientists seeking a neutral term to refer to the process by which immigrants become part of a society, in an attempt to avoid normative implication sometimes associated with terms such as “assimilation.”

**Integration.** A dynamic, two-way process in which newcomers and the receiving society work together to build secure, vibrant, and cohesive communities. Emphasis on the two-way process of change by both immigrants and members of receiving society contrasts with alternative use of term “integration” to signify one-way process of adaptation by immigrants to fit in with a dominant culture.

**Language access.** Signifies efforts by public agencies and the private sector to make their programs, services, and products more accessible to persons who are not proficient in English, through use of translated materials, bilingual personnel, interpreters, and other means. Federal agencies and recipients of federal funds are obligated to take reasonable steps to provide meaningful language access to their programs and activities to persons who are limited English Proficient, or risk violating the prohibition against national origin discrimination under Title VI of the 1964 Civil Rights Act and other laws.

**Lawful Permanent Resident (LPR).** An alien who has been legally admitted to reside and work permanently in the United States; the LPR visa is often called a “green card” (even though the cards are no longer green).

**Limited English Proficient (LEP).** A term used to describe people who are not fluent in English. Definitions of this term are not always consistent across different contexts. The Census, government agencies, and many experts define LEP individuals to include anyone over the age of five who speaks English less than “very well”. LEP is also the term used by the federal government and most states and local school districts to identify those students who have insufficient English to succeed in English-only classrooms. In the K-12 school context, English language learner (ELL) or English learner (EL) is used increasingly in place of LEP.

**Melting Pot.** Metaphor for concept that traits of immigrants of different backgrounds and ethnicities converge with those of the native-born to forge a new, unified American identity. The term was popularized by Israel Zangwill, an English author and Jewish leader, whose 1908 play *The Melting Pot* featured a Russian Jewish immigrant who survived a pogrom and looked forward to a life in America free of ethnic divisions and hatred. Melting pot is sometimes contrasted with the cultural mosaic or “salad bowl” concept, where each “ingredient” retains its distinction while contributing to a successful final product.

**Migrant.** In the broadest sense, a person who leaves his or her country of origin to seek residence in another country. Often used in the United States to refer to migrant farmworkers and their families, who follow the seasonal harvest of crops for employment in agriculture.

**Nativism.** Nativism is a hostile reaction to immigrants, associated in American history with fears that new immigrants would inject political and cultural values at odds with the American way of life.

**Newcomer program.** In the public education system, a program that addresses the specific needs of recent immigrant students, most often at the middle and high school level, especially those with limited or interrupted schooling in their home countries. Major goals of newcomer programs are to acquire beginning English language skills along with core academic skills and to acculturate to the U.S. school system.

**Newcomer.** An immigrant in the initial years after arrival; in this publication often used interchangeably with immigrant.

**Non-immigrant.** Under U.S. immigration law, a foreign citizen legally admitted to the United States for a specified purpose and a temporary period; includes both legal temporary residents (e.g., diplomats, foreign students, tourists, and temporary workers) and visitors (e.g., tourists and business visitors).

**Receiving country.** A country in which immigrants settle. Alternate terms include “receiving community,” “host society,” or “host community.”

**Refugee.** A person admitted to the United States because s/he is unable or unwilling to return to the country of nationality due to persecution or a well-founded fear of persecution based on race, religion, membership in a social group, political opinion, or national origin. Refugees apply for admission at a facility overseas and may apply for permanent resident status one year after being granted admission. In this report, the more general term “immigrant” is used to encompass refugees unless the term “refugee” is more appropriate to a particular context.

**Second generation.** In the Census, the second generation consists of native-born children of foreign-born parents. In some sociological research, second generation may also include foreign-born children brought to the U.S. before adolescence (the 1.5 generation).

**Segmented assimilation.** Concept developed by sociologists Alejandro Portes, Rubén Rumbaut, and Min Zhou in the 1990s to explain the varying patterns of assimilation experienced by members of different ethnic groups. Focuses on the second generation, and posits that while many immigrants will find different paths to mainstream success, others will find their pathways blocked by segmented labor markets and racial discrimination and experience negative assimilation.

**Sending country.** A country whose citizens emigrate, either permanently or temporarily; in classical migration theory, typically used to refer to countries whose natives migrate abroad in search of employment.

**Social capital.** The ability to gain access to resources by virtue of membership in social networks and other social structures.

**Transnational.** Persons, commercial, or non-profit enterprises, or other developments with ties to more than one country. Increasingly, “transnational” is used to refer to relationships between and among individuals and other entities, while “international” is used to refer to relationships between and among nation states.

**Undocumented immigrant.** A person residing in the United States without legal immigration status; includes both persons who entered without inspection and those who entered with a legal visa that is no longer valid. Also referred to as unauthorized or illegal immigrants.

**Vocational English as a Second Language (VESL).** VESL programs focus on teaching English skills that are used in the workplace or in a particular occupation or vocational area. Many VESL programs also combine language education with instruction in job-specific skills.

**Workforce development.** A range of programs and approaches used to prepare people for jobs; workforce development programs may provide job training, higher education, English language training, and other skills. At the federal level, workforce development programs are spread across a number of departments, including the Department of Labor (Workforce Investment Act, or WIA, and other job training programs), the Department of Health and Human Services (Temporary Assistance to Needy Families, or TANF, among others), and the Department of Education (Perkins Vocational and Technical Education Program and the Adult Education and Family Literacy Program, among others).

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